

Report gives credence to sheriff's allegations of FirstNet board

Ames Tribune By Melissa Erickson

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Concerns raised by Story County Sheriff Paul Fitzgerald about the process and transparency of the First Responder Network Authority, or FirstNet, may have some merit, according to a report released earlier this month by the U.S. Department of Commerce's Inspector General.

Fitzgerald was appointed as a member of the federal FirstNet board after its creation as part of the Middle Class Tax Relief and Job Creation Act of 2012. Its purpose is to build, deploy and operate a high-speed public safety broadband network for emergency responders.

During a board meeting in April 2013, Fitzgerald said the board's startup plan was "flawed," its process was "killing our credibility" and that directors did not have equal access to documentation information.

The IG's report, dated Dec. 5, concluded that FirstNet's confidential and public disclosure monitoring procedures were inadequate, board members did not file timely public financial disclosure reports, FirstNet's conflict of interest procedures need improvement and the board's contracting practices lacked transparent award competition.

Fitzgerald is no longer a member of the FirstNet board. His two-year term expired in August, and he was not reappointed.

In a statement released shortly after the IG's report came out, Fitzgerald said that, at first glance, the report appeared to represent a positive step forward for FirstNet.

"Speaking up on behalf of my public safety colleagues came as a last resort after months of trying to convince the Board that we had a massive problem on our hands," Fitzgerald said. "After painstakingly exhausting all internal options available to me to try and right the ship, the decision to raise a motion in our April 2013 meeting really was a no-brainer. Something had to

be done.”

FirstNet conducted an internal review of board policies and practices following Fitzgerald’s meeting comments, but a special review committee found no serious wrongdoings.

Fitzgerald’s statements also prompted the publication POLITICO to file an open records request for copies of his emails pertaining to his FirstNet duties. The U.S. Department of Commerce, which oversees FirstNet, sought an injunction of the records request, arguing that although the emails had been sent from Fitzgerald’s Story County email account, they were federal property. Congress exempted FirstNet from the Freedom of Information Act when it was created.

The Story County Board of Supervisors was prepared to release the emails to POLITICO in August 2013, but a federal judge for the Southern District of Iowa granted the injunction barring their release. In July, Chief Judge James Gritzner ruled that the emails were the property of the federal government and that Story County could not release them “without the consent of the United States.”

In his statement on the report, Fitzgerald said he is encouraged that the Inspector General’s report acknowledges these “unfortunate issues” and points FirstNet toward “a more lawful and productive course.”

“First responders deserve a reliable, technologically superior, requirements-based wireless communications network, and it’s every member of the Board’s responsibility to ensure that happens transparently, lawfully and successfully,” Fitzgerald said. “I hope that the current Board members will push for the best network possible and question what they are unsure of, even if it means going against popular opinion.”

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